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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

NATIONAL NOTE OF UTAH, LC, a Utah  
Limited Liability Company and WAYNE  
LaMAR PALMER, and individual,

Defendants.

**TWELFTH INTERIM FEE  
APPLICATION FOR RECEIVER AND  
RECEIVER'S PROFESSIONALS FOR  
SERVICES RENDERED FROM  
APRIL 1, 2017 THROUGH  
JUNE 30, 2017**

2:12-cv-00591-BSJ

The Honorable Bruce S. Jenkins

In accordance with the *Order Appointing Receiver and Staying Litigation* (the “Receivership Order”),<sup>1</sup> R. Wayne Klein, the Court-Appointed Receiver (the “Receiver”) of National Note of Utah, LC (“National Note” or “NNU”), as well as certain subsidiaries and entities affiliated with National Note, and the assets of Wayne LaMar Palmer (“Palmer”), collectively, the “Receivership Entities” hereby submits this Twelfth Interim “Fee Application,” seeking approval by the Court of fees and expenses incurred by the Receiver, the Receiver’s forensic accountants, Klein and Associates, PLLC (“Klein and Associates”), and the Receiver’s legal counsel, Dorsey & Whitney LLP (“Dorsey”), for the period of April 1, 2017 through June 30, 2017 (the

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<sup>1</sup> Docket No. [9](#).

“Application Period”), and authorization to pay all authorized fees and expenses from unencumbered funds of the Receivership Estate. The Receiver and Klein and Associates are seeking approval of fees in the total amount of \$12,207.50, and Dorsey is seeking approval of fees in the total amount of \$60,304.00 and expense reimbursement in the amount of \$290.82.

This Fee Application was provided to the United States Securities and Exchange Commission (“SEC”) for review, comment and objection prior to filing. The SEC has reviewed the Fee Application and the Receiver understands that there is no objection by the SEC to relief sought herein.

In support hereof, the Receiver states as follows.

### **I. BACKGROUND**

1. On June 25, 2012, this case was commenced by the SEC against Defendants Palmer and National Note in this Court. The SEC alleged, among other things, that Defendants Palmer and National Note engaged in securities fraud and operated a scheme that took over \$100 million from more than 600 investors.

2. The SEC filed several *ex parte* motions on June 25, 2012, all of which were granted by the Court. In particular, the Court entered the Receivership Order, appointing the Receiver and authorizing the Receiver to employ professionals to assist him with his duties.<sup>2</sup>

3. Upon his appointment, and in accordance with the Receivership Order, the Receiver employed the Dorsey as his legal counsel and Klein and Associates as his forensic accountants, and such retention was approved by the Court.<sup>3</sup> Neither the Receiver nor any of his professionals

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<sup>2</sup> Receivership Order ¶ [58](#).

<sup>3</sup> Docket No. [14](#) (Order Authorizing Receiver to Employ Professionals).

have entered into an any agreement, written or oral, express or implied, with any person or entity concerning the amount of compensation paid or to be paid from the Receivership Estate, or any sharing thereof.

4. On December 9, 2013, the Court entered an Order approving the Receiver's first *Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from June 25, 2012 Through December 31, 2012*,<sup>4</sup> allowing and authorizing payment of \$320,914.50 to Klein & Associates, and \$103,730.75 to Dorsey for fees and services rendered during the applicable period, and payment of \$38,841.94 to Klein & Associates, and \$1,599.82 to Dorsey for reimbursement of out of pocket expenses for the same period. These fees and costs have been paid by the Receiver as allowed pursuant to the Court's Order.

5. On July 9, 2014 the Court entered an Order approving the Receiver's *Second Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from January 1, 2013 Through June 30, 2013*,<sup>5</sup> allowing and authorizing payment of \$354,736.80 in fees for services to Klein & Associates, and \$254,457.25 to Dorsey for fees for services rendered during the applicable period, and payment of \$3,659.48 to Klein & Associates, and \$12,089.48 to Dorsey for reimbursement of out of pocket expenses for the same period. These fees and costs have been paid by the Receiver as allowed pursuant to the Court's Order.

6. On December 4, 2014 the Court entered an Order approving the Receiver's *Third Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from*

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<sup>4</sup> Docket No. [555](#).

<sup>5</sup> Docket No. [697](#).

*July 1, 2013 Through December 31, 2013*,<sup>6</sup> allowing \$311,939.60 in fees for services to Klein & Associates, and \$301,985.50 to Dorsey for fees for services rendered during the applicable period, and payment of \$17,244.36 to Dorsey for reimbursement of out of pocket expenses for the same period. The Order authorized the Receiver to pay all fees and expenses, except that 20% of all allowed fees were to be held back pending further order of the Court. These fees and costs (excepting the holdback amounts) have been paid by the Receiver as allowed pursuant to the Court's Order. The held back fees are being separately held by the Receiver.

7. On August 28, 2015 the Court entered an Order approving the Receiver's *Fourth Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from January 1, 2014 Through December 31, 2014*,<sup>7</sup> allowing \$351,829.00 in fees for services to Klein & Associates, and \$431,164.50 to Dorsey for fees for services rendered during the applicable period, and payment of \$30,149.94 to Dorsey for reimbursement of out of pocket expenses for the same period. The Order authorized the Receiver to pay all fees and expenses, and these amounts have been paid.

8. On November 12, 2015, the Court entered an Order approving the Receiver's *Fifth Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from January 1, 2015 Through June 30, 2015*,<sup>8</sup> allowing \$125,790.50 in fees for services to Klein & Associates, and \$254,063.50 to Dorsey for fees for services rendered during the applicable period, and payment of \$14,354.36 to Dorsey for reimbursement of out of pocket expenses for the same

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<sup>6</sup> Docket No. [828](#).

<sup>7</sup> Docket No. [954](#).

<sup>8</sup> Docket No. [1013](#).

period. The Order authorized the Receiver to pay all fees and expenses, and these amounts have been paid.

9. On March 14, 2016, the Court entered an Order approving the Receiver's *Sixth Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from July 1, 2015 Through September 30, 2015* as modified,<sup>9</sup> allowing \$51,867.50 in fees for services to Klein & Associates, and \$65,240.00 to Dorsey for fees for services rendered during the applicable period, and payment of \$8,760.30 to Dorsey for reimbursement of out of pocket expenses for the same period. The Order authorized the Receiver to pay all fees and expenses, and these amounts have been paid.

10. On June 14, 2016, the Court entered an Order approving the Receiver's *Seventh Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from October 1, 2015 Through March 31, 2016* as modified,<sup>10</sup> allowing \$129,552.50 in fees for services to Klein & Associates, and \$180,037.13 to Dorsey for fees for services rendered during the applicable period, and out of pocket expenses for the same period. The Order authorized the Receiver to pay all fees and expenses, and these amounts have been paid.

11. On November 8, 2016, the Court entered an Order approving the Receiver's *Eighth Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from April 1, 2016 Through June 30, 2016 As Modified*,<sup>11</sup> allowing \$39,770.00 in fees for services to Klein & Associates, and \$103,176.75 to Dorsey for fees for services rendered during the applicable

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<sup>9</sup> Docket No. [1055](#).

<sup>10</sup> Docket No. [1168](#).

<sup>11</sup> Docket No. [1230](#).

period, and payment of \$1,762.92 to Dorsey for reimbursement of out of pocket expenses for the same period. The Order authorized the Receiver to pay all fees and expenses, and these amounts have been paid.

12. On December 13, 2016, the Court entered an Order approving the Receiver's *Ninth Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from July 1, 2016 Through September 30, 2016*,<sup>12</sup> allowing \$24,565.00 in fees for services to Klein & Associates, and \$48,101.92 to Dorsey for fees for services rendered during the applicable period, and payment of \$1,025.42 to Dorsey for reimbursement of out of pocket expenses for the same period. The Order authorized the Receiver to pay all fees and expenses, and these amounts have been paid.

13. On March 2, 2017, the Court entered an Order approving the Receiver's *Tenth Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from October 1, 2016 Through December 31, 2016*,<sup>13</sup> allowing \$16,325.00 in fees for services to Klein & Associates, and \$38,557.50 to Dorsey for fees for services rendered during the applicable period, and payment of \$711.33 to Dorsey for reimbursement of out of pocket expenses for the same period. The Order authorized the Receiver to pay all fees and expenses, and these amounts have been paid.

14. On June 1, 2017, the Court entered an Order approving the Receiver's *Eleventh Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from*

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<sup>12</sup> Docket No. [1236](#).

<sup>13</sup> Docket No. [1264](#).

*January 1, 2017 Through March 31, 2017*,<sup>14</sup> allowing \$13,505.00 in fees for services to Klein & Associates, and \$30,025.75 to Dorsey for fees for services rendered during the applicable period, and payment of \$515.94 to Dorsey for reimbursement of out of pocket expenses for the same period. The Order authorized the Receiver to pay all fees and expenses, and these amounts have been paid.

15. During the present Application Period, the Receiver and his professionals have provided actual and necessary services for the benefit of the Receivership Estate which are set forth in greater detail below. The Receiver respectfully submits that the fees and expenses requested in the Fee Application are reasonable and should be approved.

16. As noted above, the Receiver submitted the Fee Application to the SEC for review, comment and objection prior to filing. The SEC has reviewed the Fee Application and informed the Receiver that it has no objection to the fees and expenses requested herein.

## **II. SERVICES PERFORMED**

17. To date, the Receiver has filed the following reports with the Court: *Initial Report and Liquidation Plan*, which includes a status report for the period of June 25, 2012 through September 30, 2012;<sup>15</sup> *Second Status Report* for the period of October 1, 2012 through December 31, 2012;<sup>16</sup> *Third Status Report* for the period of January 1, 2013 through March 31, 2013;<sup>17</sup> *Fourth*

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<sup>14</sup> Docket No. [1264](#).

<sup>15</sup> Docket No. [73](#).

<sup>16</sup> Docket No. [170](#).

<sup>17</sup> Docket No. [288](#).

*Status Report* for the period of April 1, 2013 through June 30, 2013;<sup>18</sup> *Fifth Status Report* for the period of July 1, 2013 through September 30, 2013;<sup>19</sup> *Sixth Status Report* for the period of October 1, 2013 through December 31, 2013;<sup>20</sup> *Seventh Status Report* for the period of January 1, 2014 through March 31, 2014;<sup>21</sup> *Eighth Status Report* for the period of April 1, 2014 through June 30, 2014;<sup>22</sup> *Ninth Status Report* for the period of July 1, 2014 to September 30, 2014;<sup>23</sup> *Tenth Status Report* for the period of October 1, 2014 to December 31, 2014;<sup>24</sup> *Eleventh Status Report* for the period of January 1, 2015 to March 31, 2015;<sup>25</sup> the *Twelfth Status Report* for the period of April 1, 2015 to June 30, 2015;<sup>26</sup> the *Thirteenth Status Report* for the period of July 1, 2015 to September 30, 2015;<sup>27</sup> the *Fourteenth Status Report* for the period of October 1, 2015 through December 31, 2015;<sup>28</sup> the *Fifteenth Status Report* for the period of January 1, 2016 through March 31, 2016;<sup>29</sup>

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<sup>18</sup> Docket No. [408](#).

<sup>19</sup> Docket No. [510](#).

<sup>20</sup> Docket No. [598](#).

<sup>21</sup> Docket No. [639](#).

<sup>22</sup> Docket No. [710](#).

<sup>23</sup> Docket No. [808](#).

<sup>24</sup> Docket No. [889](#).

<sup>25</sup> Docket No. [955](#).

<sup>26</sup> Docket No. [979](#).

<sup>27</sup> Docket No. [1045](#).

<sup>28</sup> Docket No. [1070](#).

<sup>29</sup> Docket No. [1127](#).



the *Sixteenth Status Report* for the period of April 1, 2016 through June 30, 2016;<sup>30</sup> the *Seventeenth Status Report* for the period of July 1, 2016 through September 30, 2016;<sup>31</sup> the *Eighteenth Status Report* for the period of October 1, 2016 through December 31, 2016; the *Nineteenth Status Report* for the period of January 1, 2017 through March 31, 2017; and the *Twentieth Status Report* for the period of April 1, 2017 through June 30, 2017 (the “Twentieth Status Report”).<sup>32</sup> These Status Reports provide a comprehensive description of the services performed by the Receiver and his professionals and are incorporated herein by reference.

18. The efforts of the Receiver and his professionals giving rise to the fees and costs incurred during and requested for this Application Period are detailed in the Twentieth Status Report, which is incorporated herein by reference.

19. In general, during the Application Period, the Receiver and his professionals primarily provided services related to the following:

A. Submitting ABI Appeal: As the Court is aware, two holders of a few remaining “Assignments of Beneficial Interest” (“ABIs”) recorded against property of the Receivership Estate filed an appeal in the United States Court of Appeals of the Tenth Circuit of this Court’s order and judgment invalidating their ABIs. All of the work to analyze and research the arguments made by the appellants and brief the Receiver’s appellee brief appeal took place during the Application Period. The appeal is now fully

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<sup>30</sup> Docket No. [1177](#).

<sup>31</sup> Docket No. [1216](#).

<sup>32</sup> Docket No. [1307](#).

briefed. Although the appellants requested oral argument, the Receiver did not, and at this time the parties have not been notified as to whether argument will be granted.

B. Disposition of Assets: The Receiver and his professionals attended to all aspects of disposing of personal and real property assets during the Application Period. Efforts in this regard are focused on minimizing expense while maximizing the value of the Receivership Estate.

During the Application Period, the Receiver's primary work in this area related to the work on the sales of lots in "Elkhorn Ridge" project, as well as disposition of the remaining Expressway Business Park properties.

C. Asset Recovery: The Receiver and his professionals have continued to provide services in recovering assets of the Receivership Estate. During the Application Period, this work has included conducting investigations related to judgment collection, executing on and collecting on a handful of judgments and defaulted settlement agreements. This work is ongoing. Work in this area has also been obtaining settlements on claims related to tax rebates connected to Star Pointe Development, LLC, an entity in which the Receivership Estate has an interest, and certain property located in Florida.

E. Administration of the Receivership Estate: The Receiver and his professionals have incurred fees and expenses in administering other aspects of the Receivership Estate, including at least the following: preparing and filing necessary reports with the Court; maintaining bank accounts and books and records of the Receivership Estate; receiving funds; making payments necessary to preserve assets; communicating with investors and others; responding to investor inquiries; and, when requested, providing

information to relevant governmental authorities.

20. Through the actual and necessary work of the Receiver and his professionals, the Receiver has provided considerable benefit to the Receivership Estate.

### **III. BANK ACCOUNTS OF THE RECEIVERSHIP ESTATE**

21. The Receivership Estate currently has two bank accounts, designated as an "Operating Account" and a "Real Estate Account". The Operating Account holds funds that are free and clear of any interests, and as of June 30, 2017, this Account had a balance in the total amount of \$981,324.83. The Real Estate Account holds the net sale proceeds that have been obtained from the liquidation of real property against which liens or ABIs have been recorded and with are subject to the ABI Appeal, and as of June 30, 2017, this Account had a balance in the total amount of \$961,257.76. Pursuant to the Court's *Order Approving the Receiver's Third Interim Fee Application for Receiver and Receiver's Professionals for Services Rendered from July 1, 2013 Through December 31, 2013*,<sup>33</sup> the Receiver has established a separate savings account tied to the Operating Account in which he is holding 20% of the approved professional fees incurred by him and his counsel. Money to open this account was transferred from the Operating Account. This account has a current balance of \$122,940.53.

22. If the Court approves this Fee Application, the Receiver would pay the approved fees and expenses from the Operating Account. Given the amount requested, the Operating Account has sufficient funds to pay these fees and expenses.

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<sup>33</sup> Docket No. [828](#).

**IV. REQUEST FOR COURT APPROVAL OF FEES AND EXPENSES**

The Receivership Order and Request

23. The Receivership Order provides, in relevant part, that:

59. The Receiver and Retained Personnel are entitled to reasonable compensation and expense reimbursement from the Receivership Estates as described in the “Billing Instructions for Receivers in Civil Actions Commenced by the U.S. Securities and Exchange Commission” (the “Billing Instructions”) agreed to by the Receiver. Such compensation shall require the prior approval of the Court.

60. Within forty-five (45) days after the end of each calendar quarter, the Receiver and Retained Personnel shall apply to the Court for compensation and expense reimbursement from the Receivership Estate (the “Quarterly Fee Applications”). At least thirty (30) days prior to filing each Quarterly Fee Application with the Court, the Receiver will serve upon counsel for the Commission a complete copy of the proposed Application, together with all exhibits and relevant billing information in a format to be provided by Commission staff.

61. All Quarterly Fee Applications will be interim and will be subject to cost benefit and final reviews at the close of the receivership. . . .

62. Quarterly Fee Applications may be subject to a holdback in the amount of 20% of the amount of fees and expenses for each application filed with the Court. . . .<sup>34</sup>

24. The Receiver now respectfully requests that the Court enter an Order approving on an interim basis and authorizing payment from the Receivership Estate of the reasonable compensation and expenses outlined herein for the Application Period in the amounts set forth below.

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<sup>34</sup> Receivership Order ¶¶ [5-6](#).

Summary of Supporting Exhibits

25. This Fee Application is supported by the following documents:

- **Exhibit A** includes summaries of the fees incurred for each of the billing matters:
  - Exhibit A-1 contains a summary of the fees of the Receiver and Klein & Associates; and
  - Exhibit A-2 contains a summary of Dorsey's fees and expenses, with corresponding cross references to the relevant portion of Exhibit B-2 that contains more detailed time records.
- **Exhibit B** includes detailed invoices setting forth the contemporaneous time records of services performed by the Receiver and Dorsey:
  - Exhibit B-1 contains the Receiver and his firm's invoices; and
  - Exhibit B-2 contains Dorsey's invoices for each matter opened with its contemporaneous time records as follows:
    - Exhibit B2-A: Case Administration – time billed to this matter includes legal services rendered in assisting the Receiver with his administration of the Receivership Estate.
    - Exhibit B2-B: Asset Disposition – time billed to this matter includes all legal services rendered in relation to the disposition of property of the Receivership Estate.
    - Exhibit B2-C: Asset Analysis and Recovery – time billed to this matter includes legal services rendered to assist the Receiver in his analysis and recovery of assets of the Receivership Estate, including

analysis of claims, negotiation of settlement agreements, investigation, execution and collection of judgments, and services to assist the Receiver in enforcing defaulted settlement agreements.

- Exhibit B-2-D: ABI Appeal – time billed to this matters includes legal services rendered to assist the Receiver with the ABI appeal.

As noted above, this appeal is now fully briefed.

- Exhibit C includes detail of actual out of pocket expenses incurred by Dorsey. All expenses for which reimbursement is sought are actual and necessary expenses that were incurred by Dorsey on behalf of the Receivership Estate. None of the expenses are billed at a premium, but rather are billed at Dorsey's actual cost.

Summary of Fees and Expenses and Voluntary Reductions

26. The fees and out-of-pocket expenses requested are summarized as follows:

	RECEIVER AND KLEIN AND ASSOCIATES	DORSEY
Fees	\$13,150.00 (\$942.50) – voluntary reduction \$12,207.50	\$69,144.00 (\$8,840.00)-voluntary reduction \$60,304.00
Expenses	\$0.00	<u>\$290.00</u> \$290.00
<b>TOTAL</b>	\$12,207.50	\$60,304.00

27. The amounts requested include voluntary reductions made by the respective professionals in an exercise of their billing judgment. Reductions are summarized as follows:

A. The Receiver and the staff of Klein & Associates actually billed 70.2 hours during the Application Period, which does not include an additional 4.3 hours of time which are not being billed, amounting to \$942.50 in fees in unbilled time. See Exhibit A-

1. The Receiver and Klein & Associates thus have made total voluntary reductions in the amount of \$942.50.

B. In an exercise of its billing judgment, Dorsey has voluntarily reduced its actual billed fees in the total amount of \$8,840.00. *See* **Exhibit A-2**. This reduction does not include the additional unbilled time of Ms. Hunt, which in many instances, has not been billed to oversee aspects of this case.

#### Miscellaneous Issues

28. The SEC has not requested a holdback of fees and expenses in this case. The Receiver respectfully submits that a further holdback of fees is not appropriate in this case because the Receiver and his professionals have voluntarily waived a significant amount of fees that were actually earned, a waiver has not been requested by the SEC, and the Receiver and his professionals already have deferred payment of significant amounts of their actual and necessary fees and expenses.

29. The Receiver and his professionals understand that the authorization and payment of fees and expenses is interim in nature. All fees and expenses allowed on an interim basis will be subject to final review at the close of the case and the discharge of the Receiver when the Receiver files a final accounting and final fee application.

30. The amounts paid to Klein and Associates, PLLC for the work of the Receiver and his staff are not the rates actually paid to the Receiver and his staff. The billed rates are higher than the amounts actually paid to the Receiver and his staff as the billed rates also cover operating expenses, overhead, non-billed work, and employee-related expenses.

31. In compliance with ¶ 60 of the Receivership Order, the Fee Application, including

the invoices in Exhibit B and Exhibit C, were provided to the SEC and after review and comment, the SEC has no objection to the fees and expenses requested.

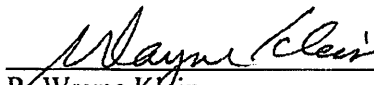
**V. CONCLUSION**

32. The Receiver respectfully submits this Fee Application and requests that the Court enter an Order approving the actual and necessary fees and expenses incurred on behalf of and for the benefit of the Receivership Estate. For all of the reasons stated, the Receiver submits that he and his professionals have provided a significant benefit to the Receivership Estate.

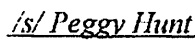
33. There are sufficient funds in the Operating Account to pay the fees and expenses requested herein.<sup>35</sup>

34. Thus, the Receiver respectfully requests that the Court enter an Order approving this Fee Application, allowing the fees and expenses requested herein, and authorizing the Receiver's payment of the same. The Receiver and Klein and Associates are seeking approval of fees in the total amount of \$12,207.50, and Dorsey is seeking approval of fees in the total amount of \$60,304.00 and expense reimbursement in the amount of \$290.82.

DATED this 21<sup>st</sup> day of August, 2017.

  
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R. Wayne Klein  
Receiver

**DORSEY & WHITNEY LLP**

  
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Peggy Hunt  
Attorneys for the Receiver

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<sup>35</sup> See *supra* Part III.



**CERTIFICATE OF SERVICE**

I hereby certify that the above **TWELFTH INTERIM FEE APPLICATION FOR RECEIVER AND RECEIVER'S PROFESSIONALS FOR SERVICES RENDERED FROM APRIL 1, 2017 THROUGH JUNE 30, 2017** was filed with the Court on this 21<sup>st</sup> day of August, 2017, and served via ECF on all parties who have requested notice in this case.

/s/ Candy Long

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<b>KLEIN ASSOCIATES</b>						
April 1, 2017 to June 30, 2017						
<b>TIME SUMMARY: NATIONAL NOTE OF UTAH</b>						
<b>Worker</b>	<b>Hours Not Billed</b>	<b>Rate</b>	<b>Unbilled Value</b>	<b>Hours Billed</b>	<b>Billed Rate</b>	<b>Billed Amount</b>
J. Shupe	0.2	100.00	20.00	4.7	100.00	470.00
R. Etherington	0.0	100.00	0.00	24.0	100.00	2,400.00
W. Klein	4.1	225.00	922.50	41.5	225.00	9,337.50
<b>Total</b>	<b>4.3</b>		<b>942.50</b>	<b>70.2</b>		<b>12,207.50</b>
<b>Expenses</b>		<b>0.00</b>				
<b>Total Hours</b>		<b>74.50</b>		<b>Value: billed + unbilled</b>		<b>13,150.00</b>
<b>Amount of Request</b>		<b>12,207.50</b>				

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**Wayne Client As Receiver (Client #492728)****Fees Worked April 1, 2017 - June 30, 2017**

<b>Matter #</b>	<b>Matter Description</b>	<b>Tworkdol</b>	<b>Write Off</b>	<b>Tbilldol</b>
492728-00001	National Note of Utah	3,150.50	(1,681.00)	1,469.50
492728-00003	Asset Disposition	3,908.00	-	3,908.00
492728-00005	Asset Analysis and Recovery	15,590.00	(637.75)	14,952.25
492728-00134	ABI Complaint	46,495.50	(6,521.25)	39,974.25
	<b>Total</b>	<b>69,144.00</b>	<b>(8,840.00)</b>	<b>60,304.00</b>
492728-00013	Costs	290.82	-	290.82

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National Note of Utah, LLC						
Time Detail for Receiver and Klein & Associates						
April 1, 2017 to June 30, 2017*						
Date	Worker	Hours	Rate	Amount	Description	Category
3/15/2017	RE	4.1	100.00	410.00	Input banking transaction data into QuickBooks.	Tax Preparation.
3/21/2017	RE	2.9	100.00	290.00	Input banking transaction data into QuickBooks; corrected account numbers for prior distribution checks.	Tax Preparation.
4/3/2017	WK	0.6	225.00	135.00	Call with L. Packer on Old Glory Mint, Secure American Gold Exchange, collectability of judgment.	Asset Analysis and Recovery
4/4/2017	WK	0.1	225.00	22.50	Respond to J. Wenzel on tax issues, whether receivership is sending Form 1099s.	Claim Administration
4/5/2017	WK	0.3	0.00	0.00	Reconcile bank statements. (Time not billed.)	Forensic Analysis
4/5/2017	WK	1.1	225.00	247.50	Get information from L. Packer on SAGE, send information on Africa gold trip, our lawsuit against SAGE (1.0); call with L. Stoddard on amount of his total losses for tax claim, whether unpaid interest is a loss (.1).	Case Administration
4/8/2017	WK	0.2	225.00	45.00	Scan documents on our efforts to collect from Schultz; sign and scan engagement agreement for collection attorney; send to Dorsey with explanation.	Asset Analysis and Recovery
4/9/2017	JS	0.1	100.00	10.00	Read and respond to J. Kirkwood email about calculating loss in the Palmer criminal case.	Litigation
4/10/2017	WK	0.3	225.00	67.50	Respond to inquiries from Investors S. Worley (re: additional recoveries) and M. Barnum (re: tax notices).	Case Administration
4/11/2017	WK	0.3	225.00	67.50	Prepare analysis of payments owed by C. Palmer, send to Dorsey with request to make demand and file suit.	Asset Analysis and Recovery
4/11/2017	WK	3.2	225.00	720.00	Revise property list (.2); prepare summary of financial transaction, check status of settlement payments, send reminders (.7); work drafting report, revise & edit, send to Dorsey; send SFAR information to J. Shupe (2.3).	Status Report
4/11/2017	RE	3.1	100.00	310.00	Corrected account numbers for prior distribution checks; input transactions from high-yield and operating bank accounts.	Tax Preparation.
4/13/2017	WK	0.5	225.00	112.50	Extended call with Equity Trust on E. Lewis custodial account, problems from claimant not putting distribution in IRA; notes of call.	Case Administration
4/16/2017	JS	0.6	100.00	60.00	Work on SFAR report for 1st quarter of 2017, request information from Receiver.	Status Report

4/17/2017	WK	0.2	225.00	45.00	Call with M. Atkinson on offer for Elkhorn lots; research appraisal amounts for lots.	Asset Disposition
4/17/2017	WK	0.1	225.00	22.50	Review bankruptcy trustee report on Christy Palmer, review amount to be paid to Receivership.	Asset Analysis and Recovery
4/17/2017	WK	0.9	225.00	202.50	Begin reading ABI appeal brief, make notes of arguments in response; research ABIs, orders.	Litigation
4/18/2017	WK	0.5	225.00	112.50	Gather exhibits, send information to Dorsey for sale of Elkhorn lots (.3); send information for motion to approve Expressway appraiser (.2).	Asset Disposition
4/18/2017	WK	0.9	225.00	202.50	Finish reading ABI appeal brief; make notes of suggestions for response.	Litigation
4/19/2017	WK	1.9	225.00	427.50	Prepare memo to P. Hunt with comments on response to ABI appeal, suggest arguments to make and positions to assert.	Litigation
4/20/2017	WK	0.2	225.00	45.00	Review draft motion to appoint appraiser, send approval to Dorsey.	Asset Disposition
4/20/2017	WK	0.2	225.00	45.00	Compile chart showing all payments made by Battles, send to Dorsey for supplemental filing requested by Court.	Asset Analysis and Recovery
4/21/2017	WK	0.3	225.00	67.50	Read title report for Elkhorn lots 6 & 7, send to Dorsey with information on ABIs released for those lots (.2); get filed motion appointing appraiser, send to appraiser (.1);	Asset Disposition
4/22/2017	WK	0.5	225.00	112.50	Read draft motion for sale of Elkhorn and declaration, create redlines; read motion for publication and proposed orders; sign declaration, send to Dorsey for filing.	Asset Disposition
4/23/2017	JS	1.1	100.00	110.00	Finish SFAR report; send to Receiver.	Status Report
4/23/2017	JS	0.1	100.00	10.00	Email J. Kirkwood of FBI on obtaining information he needs.	Litigation
4/24/2017	WK	0.3	225.00	67.50	Review, sign SFAR form, send to Dorsey.	Status Report
4/24/2017	WK	0.2	225.00	45.00	Meeting with Joe Swift on progress of case, future distributions, disposition of ore.	Case Administration
4/24/2017	WK	0.3	0.00	0.00	Meeting with Joe Swift on progress of case, future distributions, disposition of ore. (Time not billed.)	Case Administration
4/25/2017	WK	0.6	225.00	135.00	Review Dorsey redline of status report, create redline with new changes; research funds available for second distribution, send summary to Dorsey; read filed motion for sale of Elkhorn lots.	Status Report
4/26/2017	WK	0.2	225.00	45.00	Read advice from Dorsey on Green Apple litigation hurdles; email attorney for Green Apple with inquiry on status.	Asset Analysis and Recovery
4/26/2017	WK	0.6	225.00	135.00	Research net principal amounts for ABI claims; calculate interest on notes if paid at 12%, send summary to Dorsey (.4); call with claimant on future distribution qualification for two claims (.2).	Claim Administration

4/27/2017	WK	0.1	225.00	22.50	Sign status report, send copy of filed report to web for posting; get order approving publication of Elkhorn notice of sale.	Asset Disposition
4/28/2017	WK	0.5	225.00	112.50	Get hearing date for Elkhorn sales, revise notice of sale, send for publication; send orders to broker; send summary for web posting; review Salt Lake Tribune legal notice proof, send confirmation; respond to R. Matlosz on claim number.	Asset Disposition
4/28/2017	WK	0.1	225.00	22.50	Research payments received from Cory Palmer, send summary to C. Martinez.	Asset Analysis and Recovery
4/30/2017	JS	0.6	100.00	60.00	Post on website quarterly status report (.2); appointment of appraiser for Expressway (.1); motion for approval to sell Elkhorn lots (.3).	Case Administration
5/1/2017	WK	0.7	225.00	157.50	Review information from Dorsey on collection on G. Schultz, other litigation; send strategy recommendations to Dorsey.	Asset Analysis and Recovery
5/2/2017	WK	0.7	225.00	157.50	Review Elkhorn covenants; call R. Moore on his plans for metal building; gather and send contact information on owners.	Case Administration
5/2/2017	WK	0.6	225.00	135.00	Read information from collection attorney on G. Schultz, respond (.1); read documents on alternatives for collection on Cory Palmer, respond to Dorsey (.1); review settlement offer from McKenna; research amount of judgment, respond with offer and information on hardship affidavit; inquiry to P. Hunt on approval process for collection cases (.2); review draft memorandum in support of request for judgment on Battles; read, sign, and send declaration to Dorsey; send comments to Dorsey (.2).	Asset Analysis and Recovery
5/2/2017	WK	0.2	0.00	0.00	Reconcile bank statements; pay invoices.	Forensic Analysis
5/3/2017	WK	0.1	225.00	22.50	Read and sign motion for substitution of counsel, send to collection attorney.	Asset Analysis and Recovery
5/4/2017	WK	0.1	225.00	22.50	Call with J. VanRy on parking on Expressway land, notes of call.	Case Administration
5/5/2017	WK	0.2	225.00	45.00	Draft and send letter to Expressway owners association on vehicle parking.	Case Administration
5/5/2017	WK	0.3	225.00	67.50	Get judgment entered on Battles, send summary for web posting (.1); review and pay invoices for Schultz collection; emails with collection counsel on what steps to take (.2).	Asset Analysis and Recovery
5/8/2017	WK	0.6	225.00	135.00	Research history of discussions on Expressway storage area, respond to Brenda Curtis.	Case Administration
5/8/2017	WK	1.0	225.00	225.00	Update status of judgments abandoned and judgments still being pursued for collection; review collection files and update tracking log.	Asset Analysis and Recovery

5/8/2017	WK	0.1	225.00	22.50	Research Holgate distribution amount; call and leave message on distribution paid and their unlikelihood of participating in future distributions.	Claim Administration
5/9/2017	WK	0.1	225.00	22.50	Scan newspaper affidavits of publication, send to Dorsey; pay publication affidavits.	Asset Disposition
5/9/2017	WK	0.3	225.00	67.50	Read emails with and documents from Brenda Cutler on fenced compound at Expressway;	Case Administration
5/9/2017	WK	0.1	0.00	0.00	Reconcile bank statements (Time not billed.)	Case Administration
5/9/2017	WK	0.1	225.00	22.50	Send information to Dorsey on Cory Palmer failure to send required settlement payments, reply on strategy.	Asset Analysis and Recovery
5/9/2017	WK	0.2	225.00	45.00	Emails with R. Etherington on taxes, send backup information, respond to questions.	Tax Preparation.
5/9/2017	RE	5.1	100.00	510.00	Reconciled distribution schedules and replacement checks to voided checks; work reconciling distribution spreadsheet to QuickBooks.	Tax Preparation.
5/10/2017	WK	0.3	225.00	67.50	Update log of collection efforts to show new developments; review materials on Flynn (asset report, collection recommendations), give instructions to Dorsey.	Asset Analysis and Recovery
5/10/2017	JS	0.1	100.00	10.00	Website posting: judgment against Wilton Battles.	Case Administration
5/10/2017	JS	0.3	100.00	30.00	Call with criminal investigators on amount of disgorgement; send documents.	Litigation
5/10/2017	WK	1.7	225.00	382.50	Verify payments to certain claimants, voided checks, and amounts outstanding at year end, send information to R. Etherington for tax preparation.	Tax Preparation.
5/11/2017	WK	1.7	0.00	0.00	Travel to Expressway Business Park for meetings. (Time not billed.)	Case Administration
5/11/2017	WK	1.1	225.00	247.50	Evaluate vehicle parked on roadways and Expressway areas; meet with Cutler Electric on storage area, possibility of buying land; meet with Outback Fire on vehicles parked on Expressway land, discuss possible land purchase.	Case Administration
5/12/2017	WK	1.7	225.00	382.50	Review draft ABI appeal brief; research information on ABIs, create redline version with corrections, send to Dorsey with comments and explanation.	Litigation
5/13/2017	WK	0.2	225.00	45.00	Send information on Expressway land and possible purchase to Outback Fire.	Asset Disposition

5/15/2017	WK	0.1	0.00	0.00	Renew corporate charter for Expressway Business Park. (Time not billed.)	Case Administration
5/15/2017	WK	0.4	225.00	90.00	Read information from collection attorney on T. Schultz, review notes, respond (.3); log settlement payment from Cory Palmer, notify Dorsey of payment (.1).	Asset Analysis and Recovery
5/16/2017	WK	0.1	0.00	0.00	Pay collection invoices; respond to Dorsey on Cory Palmer. (Time not billed.)	Asset Analysis and Recovery
5/16/2017	WK	0.1	225.00	22.50	Get filed appeal brief; send summary for web posting.	Case Administration
5/17/2017	WK	0.7	225.00	157.50	Gather documents to send to appraiser on Expressway re building code, wetlands, title report, etc. (.4); calls with Derek Andre of Outback Fire on Expressway land (wetlands, buried waste, city requirements) (.3).	Asset Disposition
5/17/2017	WK	0.4	225.00	90.00	Review settlement offer from McKenna and history of negotiations; respond with counteroffer.	Asset Analysis and Recovery
5/18/2017	WK	0.1	225.00	22.50	Call with D. Stathis on future distributions, status of criminal case.	Case Administration
5/18/2017	WK	0.4	225.00	90.00	Read McKenna response to counteroffer, respond to collection attorney; revise hardship affidavit to seek financial information, send to attorney (.3); read email from collection attorney on Schultz (.1)	Asset Analysis and Recovery
5/19/2017	WK	0.1	225.00	22.50	Read emails between McKenna attorney and receivership collection attorney, send permission to accept offer.	Asset Analysis and Recovery
5/23/2017	WK	0.6	225.00	135.00	Draft settlement agreement for McKenna, send to collection attorney.	Asset Analysis and Recovery
5/23/2017	RE	5.5	100.00	550.00	Reconciled accounts on QuickBooks to distribution schedules and transactions from bank statements.	Tax Preparation.
5/24/2017	WK	0.1	225.00	22.50	Respond to investor FastTrack on next distribution timing.	Claim Administration
5/25/2017	WK	0.1	225.00	22.50	Call with investor on likelihood of additional distribution in 2017.	Claim Administration
5/26/2017	WK	0.3	225.00	67.50	Review draft applications for debtor asset examinations (Cousins, Blakeslee); research law; respond with changes to make.	Asset Analysis and Recovery
5/31/2017	WK	0.4	225.00	90.00	Court hearing on sale of Elkhorn Lots 6 & 7; discussion with P. Hunt on settlement motions to file.	Asset Disposition

5/31/2017	WK	1.3	225.00	292.50	Read draft motion on Green Apple settlement, create redlines of proposed motion, proposed order, declaration, send to Dorsey (.6); read update on Lovato collection efforts and show cause order, respond to Dorsey (.1); research answers to Dorsey questions on Star Pointe settlement (.6).	Asset Analysis and Recovery
5/31/2017	WK	0.4	225.00	90.00	Read Olson reply brief in ABI appeal; make notes of comments.	Litigation
6/1/2017	WK	0.1	225.00	22.50	Get order approving sale of Elkhorn 6 & 7, send to broker; send summary for web posting.	Asset Disposition
6/1/2017	WK	0.1	225.00	22.50	Call with owner of Outback Fire on vehicles parked on receivership property; notes of call.	Case Administration
6/1/2017	WK	0.5	225.00	112.50	Review inquiry from Jeff Squires on amount of his recovery, research files; respond to Squires.	Claim Administration
6/1/2017	JS	0.2	0.00	0.00	Post on website notice of fee application. (Time not billed.)	Case Administration
6/1/2017	JS	0.3	100.00	30.00	Research amounts owed by James Morse to NNU; send financial summary to Receiver.	Asset Analysis and Recovery
6/2/2017	WK	0.4	225.00	90.00	Review analysis of amounts owed to NNU by Morse, review Star Pointe settlement, send information to Dorsey (.2); get filed motion on Green apple, send to attorney, send summary for web posting (.2).	Asset Analysis and Recovery
6/5/2017	WK	0.5	225.00	112.50	Review, sign closing documents for Elkhorn lots 6 & 7; update property tracking log.	Asset Disposition
6/5/2017	WK	0.3	0.00	0.00	Review collection bill for Schultz; send inquiry to law firm on invoice amount. (Time not billed.)	Asset Analysis and Recovery
6/5/2017	WK	0.4	225.00	90.00	Reconcile bank statements (.1); review draft motion for Star Pointe settlement, create redline, send to Dorsey (.3).	Asset Analysis and Recovery
6/5/2017	WK	0.4	225.00	90.00	Research files, return call to Karen Holgate on amount of claim; notes of call; send spreadsheet and copy of court order.	Claim Administration
6/6/2017	WK	0.2	225.00	45.00	Read, respond to email from collection attorney on Schultz collection (.1); read, sign declaration for Star Pointe, review new draft motion (.1).	Asset Analysis and Recovery
6/6/2017	WK	0.2	225.00	45.00	Compile list of properties sold in 2016 and net proceeds from each, send to R. Etherington for tax preparation.	Tax Preparation.
6/7/2017	RE	2.4	100.00	240.00	Finish reconciling QuickBooks records to distribution schedules and bank transactions; begin schedules of property sales.	Tax Preparation.
6/8/2017	WK	0.1	225.00	22.50	Get filed motion on Star Pointe, create summary, send for web posting.	Case Administration
6/8/2017	WK	0.3	225.00	67.50	Respond to C. Long on claims process; research information to respond to additional inquiry/argument; respond.	Claim Administration

6/8/2017	JS	0.5	100.00	50.00	Post on website order approving sale of Elkhorn lots; approval of fee application; motion for Green Apple settlement.	Case Administration
6/8/2017	JS	0.1	100.00	10.00	Review claims emails; read Receiver response to J. Squires.	Claim Administration
6/12/2017	WK	0.1	225.00	22.50	Read, sign McKenna settlement agreement, send to collection attorney.	Asset Analysis and Recovery
6/13/2017	WK	0.1	225.00	22.50	Review tax assessments on Elkhorn properties.	Asset Disposition
6/13/2017	WK	0.7	225.00	157.50	Record settlement payments from McKenna, Cory Palmer; notify Dorsey of payments received (.1); review Lovato collection file, list questions for possible debtor examination; send information on Lovato assets, hardship affidavit to Dorsey (.6).	Asset Analysis and Recovery
6/13/2017	JS	0.1	100.00	10.00	Webste posting: motion for approval of Star Pointe settlement.	Case Administration
6/13/2017	JS	0.4	100.00	40.00	Search for proof that claims notice was sent to Clyne Long, send to Receiver.	Claim Administration
6/14/2017	WK	0.2	225.00	45.00	Send information to C. Long showing his receipt of initial claims notice.	Claim Administration
6/14/2017	WK	2.0	225.00	450.00	Attend state court hearing on Lovato collection; extended negotiations to reach settlement agreement; draft term sheet; read term sheet into court record (1.5); draft complete settlement agreement for Lovato, send to Dorsey (.5).	Asset Analysis and Recovery
6/15/2017	WK	0.1	225.00	22.50	Receive proceeds from sale of Elkhorn 6&7, log in financial records; update property sale chart.	Asset Disposition
6/15/2017	WK	0.1	0.00	0.00	Renew corporate charter for Elkhorn. (Time not billed.)	Case Administration
6/15/2017	WK	0.3	225.00	67.50	Read summary of efforts to collect on T. Schultz, give directions to attorney (.2); review proposal by private investigator to get service on Schultz, respond to attorney with directions (.1).	Asset Analysis and Recovery
6/16/2017	WK	0.6	225.00	135.00	Read complaint from Expressway owner on vehicles stored on roads; send email to Outback Fire on moving vehicles; respond to property tenant (.3); call with Outback Fire on moving vehicles, notes of call (.3).	Case Administration
6/16/2017	WK	0.1	225.00	22.50	Review changes to Lovato settlement agreement proposed by Dorsey, get update on stipulated order, respond to Dorsey.	Asset Analysis and Recovery
6/20/2017	WK	0.2	225.00	45.00	Call with Outback Fire on vehicles on property; notes of call; emails with owners' association.	Case Administration





B-2

B2-A



SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 9, 2017  
Invoice No. \*\*\*\*\*

Client-Matter No.: 492728-00001  
National Note of Utah

For Legal Services Rendered Through June 30, 2017

INVOICE TOTAL

Total For Current Legal Fees	\$1,469.50*
Total For Current Invoice	\$1,469.50
*Includes Voluntary Reduction	-\$1,681.00

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:  
Dorsey & Whitney LLP  
P.O. Box 1680  
Minneapolis, MN 55480-1680

Wire Instructions:  
U.S. Bank National Association  
800 Nicollet Mall  
Minneapolis, MN 55402

(This account is only for Wire/ACH payments)  
ABA Routing Number: 091000022  
Account Number: 1047-8339-8282  
Swift Code: USBKUS44IMT

Please make reference to the invoice number

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY



SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 9, 2017  
Invoice No. \*\*\*\*\*

Client-Matter No: 492728-00001

National Note of Utah

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For Legal Services Rendered Through June 30, 2017

04/11/17	M. Hunt	0.10	41.00	Correspondence with W. Klein and C. Martinez re numerous tasks; conference with M. Baker re tasks (.1)
04/12/17	M. Hunt	1.00	410.00	Review invoices to prepare fee application and modify same to conform with billing requirements (1.)
04/17/17	M. Hunt	0.10	41.00	Correspondence with W. Klein re final report in C. Palmer bankruptcy case (.1)
04/25/17	M. Hunt	1.80	738.00	Revise status report (1.7); correspondence with W. Klein and C. Long on same (.1)
04/26/17	M. Hunt	0.30	123.00	Read and respond to email from W. Klein re distribution issues and monies in accounts (.3)
04/27/17	M. Hunt	0.10	41.00	Final review of status report, instructions to staff on same (.1)
05/01/17	M. Hunt	1.30	0.00	Draft 11th Fee Application (1.3)
05/02/17	M. Hunt	1.20	0.00	Finalize fee application, including

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Klein & Associates, PLLC  
 Client-Matter No.: 492728-00001  
 Invoice No.: \*\*\*\*\*

August 9, 2017  
 Page 2

				incorporating W. Klein's changes, and instructions to staff (1.2)
05/04/17	S. Goldberg	0.10	34.50	Call with investor re: status
05/09/17	M. Hunt	0.20	0.00	Finalize Fee Application to include comments by A. Oliver and correspondence with W. Klein re same; instructions to staff on filing (.2)
05/31/17	M. Hunt	2.30	0.00	Prepare for hearing on fee application (1.0); attend hearing, including pre meeting with W. Klein on status of numerous items (1.0); draft proposed order and instructions on same (.3)
06/02/17	M. Hunt	0.10	41.00	Correspondence with W. Klein re orders and status of several items (.1)
<b>Total Hours</b>		<b>8.60</b>		

<b>Total for Legal Fees</b>	<b>\$1,469.50</b>
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<b>Total This Invoice</b>	<b>\$1,469.50</b>
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**B2-B**



SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 17, 2017  
Invoice No. \*\*\*\*\*

Client-Matter No.: 492728-00003  
Asset Disposition

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For Legal Services Rendered Through June 30, 2017

**INVOICE TOTAL**

Total For Current Legal Fees	\$3,908.00
<b>Total For Current Invoice</b>	<b>\$3,908.00</b>

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Minneapolis, MN 55402

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ABA Routing Number: 091000022  
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Swift Code: USBKUS44IMT

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SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 17, 2017  
Invoice No. \*\*\*\*\*

**Client-Matter No: 492728-00003**

**Asset Disposition**

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**For Legal Services Rendered Through June 30, 2017**

04/18/17	M. Hunt	0.10	41.00	Correspondence with W. Klein re asset disposition issues (.1)
04/19/17	J. Wiest	3.10	868.00	Draft motion to appoint appraiser for Expressway Business Park land (3.1)
04/19/17	M. Hunt	0.10	41.00	Conference and correspondence with J. Wiest re Expressway motion (.1)
04/20/17	J. Wiest	4.40	1,232.00	Correspondence with P. Hunt and W. Klein regarding motion to appoint appraiser (.5); draft order granting motion to appoint appraiser (.5); file motion to appoint appraiser and proposed order (.5); draft motion to sell Elkhorn lots 6 & 7 (1.7); draft declaration in support of motion to sell Elkhorn properties (.9); draft publication motion for Elkhorn property (.2); draft proposed orders for Elkhorn properties (.1)
04/20/17	M. Hunt	0.40	164.00	Review and revise motion to appoint appraiser for expressway, consider service issues, and emails to W. Klein on same (.3);

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Klein & Associates, PLLC  
 Client-Matter No.: 492728-00003  
 Invoice No.: \*\*\*\*\*

August 17, 2017  
 Page 2

				review final papers and proposed order, correspondence with W. Klein on same, and authorize filing (.1)
04/21/17	J. Wiest	0.50	140.00	Revise documents for sale of Elkhorn Lots 6 & 7 (.5)
04/21/17	M. Hunt	0.30	123.00	Review draft papers on Elkhorn Lots 6 and 7 sales and send to W. Klein (.3)
04/24/17	J. Wiest	1.10	308.00	Revise documents for sale of Elkhorn Lots 6 & 7 to include receiver's comments and finalize same (1.1)
04/25/17	J. Wiest	0.60	168.00	Finalize and file Elkhorn Lot 6 & 7 sale motion and related documents (.6)
04/25/17	M. Hunt	0.20	82.00	Review final documents of Elkhorn Lots 6 and 7 sale papers, including W. Klein's comments, and authorize filing of same (.2)
04/28/17	J. Wiest	0.10	28.00	Correspondence with P. Hunt and W. Klein (.1)
05/10/17	J. Wiest	0.90	252.00	Draft and file notice of publication for Elkhorn Lots 6 & 7 (.9)
05/10/17	M. Hunt	0.10	41.00	Correspondence on Elkhorn Ridge sale issues and review notice of publication for filing (.1)
05/31/17	J. Wiest	1.50	420.00	Prepare for hearing (.7); attend hearing on motion for sale of Elkhorn Lots 6 & 7 (.6); draft proposed order and send to chambers (.2)

**Total Hours 13.40**

**Total for Legal Fees \$3,908.00**

**Total This Invoice \$3,908.00**

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B2-C



SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 17, 2017  
Invoice No. \*\*\*\*\*

Client-Matter No.: 492728-00005  
Asset Analysis and Recovery

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For Legal Services Rendered Through June 30, 2017

**INVOICE TOTAL**

Total For Current Legal Fees	\$14,952.25*
<b>Total For Current Invoice</b>	<b>\$14,952.25</b>
<b>*Includes Voluntary Reduction</b>	<b>-\$637.75</b>

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

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Minneapolis, MN 55480-1680

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Please make reference to the invoice number

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ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY



SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 17, 2017  
Invoice No. \*\*\*\*\*

**Client-Matter No: 492728-00005**

**Asset Analysis and Recovery**

---

**For Legal Services Rendered Through June 30, 2017**

04/04/17	M. Baker	0.50	145.00	Review and revise Lovato garnishment pleadings (.5)
04/04/17	M. Baker	0.20	58.00	Finalize domestication of Fabrizius judgment for filing (.2)
04/04/17	S. Waterman	0.40	188.00	Review revise and execute documents for filing foreign judgment in Wyoming (.4)
04/05/17	M. Baker	0.20	58.00	Conference with M. DiFrancesco regarding garnishment (.2)
04/05/17	C. Martinez	0.10	36.00	Correspond with opposing counsel concerning final revisions to settlement agreement (.1)
04/05/17	M. DiFrancesco	0.50	102.50	Finalize and file garnishment documents (.5)
04/06/17	M. Baker	0.90	261.00	Review documents for call on Schultz domestication (.4); phone conference with P. Hunt and S. Berger regarding collection of Schultz judgment (.3); correspondence regarding service of Lovato garnishment to

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Klein & Associates, PLLC  
 Client-Matter No.: 492728-00005  
 Invoice No.: \*\*\*\*\*

August 17, 2017  
 Page 2

				U.S. Bank (.2)
04/06/17	M. Hunt	0.40	164.00	Conference with Arizona counsel re Schultz judgment collection, and follow up email with W. Klein (.4)
04/07/17	M. Hunt	0.10	41.00	Correspondence with W. Klein re retaining Arizona counsel for judgment collection (.1)
04/10/17	M. Baker	0.30	87.00	Review investor file for T. Schultz (.3)
04/10/17	M. Hunt	0.10	41.00	Correspondence re judgment collection issues (.1)
04/11/17	C. Martinez	0.20	72.00	Correspond with opposing counsel concerning amounts owed by C. Palmer (.2)
04/12/17	M. Baker	0.80	232.00	Compile information for domestication of Slaughter and Andreason judgments (.6); review correspondence on domestication of Nevada judgments (.2)
04/13/17	M. Baker	0.20	58.00	Verify addresses for Nevada domestication Addresses Nevada judgments (.2)
04/14/17	M. Hunt	0.10	41.00	Correspondence with M. Baker and C. Martinez re collection issues (.1)
04/17/17	M. Baker	0.40	116.00	Compile and send documents to S. Berger for collection of Arizona judgment (.3); review trustee's final report for C. Palmer (.1)
04/19/17	M. Baker	0.90	261.00	Finalize confession of judgment (.6); review documents on Arizona domestication (.3)
04/20/17	M. Baker	1.60	464.00	Correspondence regarding memorandum in support of confession of judgment against W. Battles (.5); review documents related to same (.5); review reply and request for hearing on Lovato garnishment (.4); conference and correspondence with P. Hunt regarding same (.2)
04/20/17	M. Hunt	0.20	82.00	Review ecf on battles judgment and email

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Klein & Associates, PLLC  
 Client-Matter No.: 492728-00005  
 Invoice No.: \*\*\*\*\*

August 17, 2017  
 Page 3

				to M. Baker re preparing memo requested by the court and instructions to M. Baker on information needed (.1); review notice on Lovato garnishment issues and instructions to M. Baker on same (.1)
04/21/17	M. Baker	0.20	58.00	Correspondence regarding request for hearing on Lovato garnishment (.2)
04/25/17	M. DiFrancesco	0.50	102.50	Draft application for writ of garnishment for Chase Bank (.1); draft writ of garnishment (.1); draft answers to interrogatories (.1); draft reply and request for hearing (.1); draft notice of garnishment (.1) (Lovato)
04/25/17	M. DiFrancesco	0.50	51.25	Draft application for writ of garnishment for America First Credit Union (.1); draft writ of garnishment (.1); draft answers to interrogatories (.1); draft reply and request for hearing (.1); draft notice of garnishment (.1) (Lovato) (Billed 1/2 time)
04/26/17	M. Baker	0.10	29.00	Conference with P. Hunt regarding request for hearing on Lovato garnishment (.1)
04/26/17	S. Goldberg	1.90	655.50	Research on res judicata and tax deed issues (1.7); conference with P. Hunt regarding same (.2)
04/26/17	M. Hunt	0.30	123.00	Conference with S. Goldberg re Green Apple issues and emails with W. Klein on same (.3)
04/28/17	M. Baker	0.30	87.00	Review correspondence from B. Pack regarding collection of Schultz judgment (.3)
04/28/17	C. Martinez	0.30	108.00	Correspond with W. Klein and opposing counsel concerning failure of C. Palmer to pay settlement amounts (.2); outline plan for collection of deficiency through small claims action (.1)
04/29/17	M. Baker	1.00	290.00	Draft memorandum in support of filing of

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Klein & Associates, PLLC  
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August 17, 2017  
 Page 4

				confession of judgment from W. Battles (1.0)
05/01/17	M. Baker	0.70	203.00	Revise memorandum in support of W. Battles confession of judgment (.4); correspondence to J. Alamillo regarding objection to Lovato garnishment (.1); review correspondence regarding collection of Schultz judgment (.2)
05/01/17	S. Goldberg	2.20	759.00	Draft motion to approve settlement agreement with Green Apple (2.2)
05/01/17	M. Hunt	0.40	164.00	Review numerous correspondence on judgment collection issues and emails to W. Klein on same (.4)
05/01/17	M. Montoya	0.30	49.50	Analyze rules related to small claims; find form affidavit and summons; email P. Hunt regarding same (Palmer) (.3)
05/02/17	M. Baker	1.70	493.00	Revise memorandum in support of entry of confession of judgment against W. Battles (1.5); correspondence regarding collection of Arizona judgment (.2)
05/02/17	M. Hunt	0.70	287.00	Review and revise Battles motion and instructions to M. Baker on same (.4); correspondence with W. Klein re numerous judgment collection issues (.3)
05/03/17	M. Baker	1.00	290.00	Revise and finalize memorandum in support of confession of judgment for W. Battles and declaration in support of same (.8); correspondence regarding substitution of counsel in collection of T. Schultz judgment in Arizona (.2)
05/04/17	M. Baker	0.20	58.00	Correspondence regarding collection of Schultz judgment (.2)
05/05/17	M. Baker	0.30	87.00	Correspondence regarding garnishments and charging orders for Schultz judgment (.3)
05/17/17	M. Baker	0.20	58.00	Correspondence regarding collection of

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Klein & Associates, PLLC  
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August 17, 2017  
 Page 5

Date	Client	Hours	Amount	Description
				Schultz judgment (.2)
05/18/17	M. Baker	1.40	406.00	Review documents related to Schultz collection (.9); phone conference with B. Pack regarding same (.3); correspondence regarding same (.2)
05/19/17	M. Baker	0.50	145.00	Correspondence with J. Alamilla regarding notice of hearing and garnishment (.5)
05/19/17	S. Goldberg	1.90	655.50	Draft motion to approve Green Apple settlement
05/23/17	S. Goldberg	3.40	586.50	Draft motion to approve Green Apple settlement (3.4) (Billed 1/2 time)
05/24/17	M. Baker	0.40	116.00	Draft request for hearing on garnishment (.4)
05/31/17	M. Baker	1.00	290.00	Conference with P. Hunt regarding status of collection of judgments (.2); update spreadsheet of default judgments (.2) review notice of hearing on Lovato garnishment and draft correspondence regarding same (.6)
05/31/17	S. Goldberg	1.00	345.00	Revise, finalize, and file motion to approve Green Apple Settlement (1.0)
05/31/17	M. Hunt	0.60	246.00	Review Green Apple settlement papers and correspondence with W. Klein (.3); conference with M. Baker re status of default collection issues (.2); review W. Klein changes on Green Apple papers and instructions to S. Goldberg on filing (.1)
05/31/17	M. DiFrancesco	0.50	102.50	Draft foreign judgment for (C. Slaughter) (.1); draft declaration in support of foreign judgment (.2); draft judgment information statement (.2)
06/05/17	M. Hunt	1.20	492.00	Review and analysis of information provided by W. Klein on Star Pointe settlement issues (.2); revise settlement motion based on same (1.0)

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Klein & Associates, PLLC  
 Client-Matter No.: 492728-00005  
 Invoice No.: \*\*\*\*\*

August 17, 2017  
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06/06/17	J. Wiest	1.00	280.00	Draft declaration in support of motion to settle with Star Pointe Development and proposed order (1)
06/06/17	M. Hunt	0.30	123.00	Review W. Klein comments on Star Pointe Motion and correspondence with J. Wiest on finalizing papers; review declaration and order and correspondence with W. Klein on same; instructions to J. Wiest re order revisions (.3)
06/07/17	J. Wiest	0.60	168.00	Revise and file motion for settlement agreement with Star Pointe parties (.6)
06/09/17	J. Wiest	0.10	28.00	Correspondence with P. Hunt and W. Klein (.1)
06/14/17	M. Baker	3.30	957.00	Prepare for and attend hearing on Lovato garnishment (3.3)
06/16/17	M. Baker	0.60	174.00	Review and revise Lovato settlement agreement (.6)
06/17/17	M. Baker	0.70	203.00	Draft proposed order releasing funds from Lovato garnishment (.7)
06/20/17	M. Baker	0.20	58.00	Correspondence with W. Klein and J. Alamilla regarding Lovato settlement agreement and proposed order (.2)
06/22/17	M. Baker	0.20	58.00	Finalize and upload stipulated order regarding garnishment (.2)
06/23/17	M. Baker	0.20	58.00	Prepare order on garnishment for service (.1); correspondence with W. Klein regarding same (.1)
06/26/17	C. Martinez	0.20	72.00	Correspond with W. Klein and D. Chandler concerning payments made by C. Palmer (.2)
06/27/17	C. Martinez	0.10	36.00	Correspond with opposing counsel concerning amount owed by defendant (.1)
06/28/17	S. Goldberg	0.80	276.00	Review Star Pointe documents in preparation for hearing (.8)

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 Page 7

06/29/17	S. Goldberg	1.90	655.50	Prepare for hearing on Green Apple Settlement (1); prepare for hearing on Star Pointe settlement hearing (.9)
06/30/17	M. Baker	0.10	29.00	Correspondence regarding Lovato settlement payment (.1)
06/30/17	S. Goldberg	5.60	1,932.00	Prepare for and attend hearing on Star Pointe and Green Apple hearings (3.8); draft proposed order for Star Pointe motion (.4); begin drafting supplemental brief for Green Apple motion (1.4)

**Total Hours 48.70**

**Total for Legal Fees \$14,952.25**

**Total This Invoice \$14,952.25**

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**B2-D**



SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 9, 2017  
Invoice No. \*\*\*\*\*

Client-Matter No.: 492728-00134  
National Note - ABI Complaint

For Legal Services Rendered Through June 30, 2017

INVOICE TOTAL

Total For Current Legal Fees	\$39,974.25*
Total For Current Invoice	\$39,974.25
Includes Voluntary Reduction	-\$6,521.25

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:  
Dorsey & Whitney LLP  
P.O. Box 1680  
Minneapolis, MN 55480-1680

Wire Instructions:  
U.S. Bank National Association  
800 Nicollet Mall  
Minneapolis, MN 55402

(This account is only for Wire/ACH payments)  
ABA Routing Number: 091000022  
Account Number: 1047-8339-8282  
Swift Code: USBKUS44IMT

Please make reference to the invoice number

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SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 9, 2017  
Invoice No. \*\*\*\*\*

Client-Matter No: 492728-00134

National Note - ABI Complaint

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For Legal Services Rendered Through June 30, 2017

04/12/17	S. Goldberg	0.50	172.50	Research rules on joint appendices and correspondences with P. Barton and P. Hunt regarding same (.5)
04/14/17	S. Goldberg	0.30	103.50	Review tenth circuit rules regarding briefing time and content (.3)
04/14/17	M. Hunt	0.20	82.00	Review document filed, and instructions on management of same and docketing dates (.2)
04/16/17	S. Goldberg	1.10	379.50	Review and analyze appeal brief (1.1)
04/17/17	M. Hunt	0.10	41.00	Correspondence with W. Klein re ABI appeal brief (.1)
04/20/17	S. Goldberg	2.30	793.50	Research and review materials for ABI appeal (2.3)
04/21/17	S. Goldberg	4.20	1,449.00	Read transcripts of hearing and other record materials for ABI appeal (4.2)
04/24/17	S. Goldberg	6.20	2,139.00	Draft appeal brief (6.2)

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Klein & Associates, PLLC  
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August 9, 2017  
 Page 2

04/25/17	M. Baker	0.30	0.00	Conference with S. Goldberg regarding ABI appeal issues (.3)
04/25/17	S. Goldberg	10.10	3,484.50	Draft and research for ABI appeal (10.1)
04/26/17	S. Goldberg	2.40	828.00	Conference with P. Hunt regarding appeal issues (.4); research for appeal brief (2.0)
04/26/17	M. Hunt	0.40	164.00	Conference with S. Goldberg re ABI Appeal issues (.4)
04/27/17	S. Goldberg	6.20	2,139.00	Draft ABI appeal brief (6.2)
05/04/17	S. Goldberg	4.40	1,518.00	Research and draft ABI appeal brief (4.4)
05/05/17	S. Goldberg	5.00	1,725.00	Draft and research appeal brief (5.0)
05/07/17	S. Goldberg	9.60	3,312.00	Research and draft appeal brief (9.6)
05/08/17	S. Goldberg	7.40	2,553.00	Draft ABI appeal brief (7.4)
05/09/17	S. Goldberg	11.70	2,018.25	Draft ABI appeal brief (11.7) (Billed 1/2 time)
05/10/17	S. Goldberg	7.50	2,587.50	Draft ABI appeal brief (7.5)
05/10/17	M. Hunt	0.70	287.00	Begin to read appellate brief; conferences with S. Goldberg on same (.7)
05/11/17	S. Goldberg	5.30	1,828.50	Revisions to ABI appeal brief (5.3)
05/11/17	M. Hunt	6.50	2,665.00	Work on appellate brief, including review appellants' brief, draft brief and revisions to same (6.5)
05/12/17	S. Goldberg	11.30	1,949.25	Work on ABI appeal brief (11.3) (Billed 1/2 time)
05/12/17	M. Hunt	5.60	2,296.00	Work on appellate brief (5.2); conferences with S. Goldberg re same (.4)
05/13/17	S. Goldberg	4.70	1,621.50	Revisions to ABI appeal brief (4.7)
05/13/17	M. Hunt	4.10	1,681.00	Correspondence with W. Klein re oral argument (.1); draft last argument of brief, including review of appellants' arguments (4.0)
05/14/17	S. Goldberg	7.30	1,259.25	Finalize ABI appeal brief (7.3) (Billed 1/2

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Klein & Associates, PLLC  
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 Invoice No.: \*\*\*\*\*

August 9, 2017  
 Page 3

				time)
05/15/17	S. Goldberg	3.50	0.00	Finalize and file appeal brief and appendix (3.5)
05/15/17	M. Hunt	1.50	615.00	Correspondence with S. Goldberg re filing appellate appendix (.1); review issue statement and final draft and final revisions to same (1.4)
05/31/17	S. Goldberg	0.40	138.00	Review and analyze reply brief (.4)
05/31/17	M. Hunt	0.10	41.00	Instructions on reply brief filed, including analysis of same (.1)
06/05/17	S. Goldberg	0.30	103.50	Review rules for submission and oral argument and correspondences with P. Hunt regarding same (.3)

**Total Hours                      131.20**

**Total for Legal Fees                      \$39,974.25**

**Total This Invoice                      \$39,974.25**

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C





SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 9, 2017  
Invoice No. \*\*\*\*\*

Client-Matter No.: 492728-00013  
Costs

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For Disbursements and Services Charges Rendered Through June 30, 2017

**INVOICE TOTAL**

Total For Current Disbursements and Service Charges	\$290.82
<b>Total For Current Invoice</b>	<b>\$290.82</b>

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:  
Dorsey & Whitney LLP  
P.O. Box 1680  
Minneapolis, MN 55480-1680

Wire Instructions:  
U.S. Bank National Association  
800 Nicollet Mall  
Minneapolis, MN 55402

(This account is only for Wire/ACH payments)  
ABA Routing Number: 091000022  
Account Number: 1047-8339-8282  
Swift Code: USBKUS44IMT

Please make reference to the invoice number

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SALT LAKE CITY OFFICE  
801-933-7360

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Klein & Associates, PLLC  
724 Sheringham Ct.  
Farmington, UT 84025

August 9, 2017  
Invoice No. \*\*\*\*\*

Client-Matter No: 492728-00013

Costs

For Disbursements and Service Charges Rendered Through June 30, 2017

**Total for Legal Fees \$0.00**

Disbursements and Service Charges

Messenger Charges	42.00
Postage Charges	13.32
Filing Fee - Salt Lake City District Court - Filing Fee Write JOe Lovatio 05/01/17	50.00
Filing Fee - Third Judicial District Court - Salt Lake County - Writ of Garnishment - Joe Lovato 04/05/17	50.00
U.S. Bank National Association - Garnishment Fees 04/06/17	10.00
Reversal from Void Check Number: 1268285 Bank ID: 1 Voucher ID: 1615534 Vendor: U.S. Bank National Association	-10.00
Copies of Legal Documents - US District Court - Clerk's Certificate of Judgment to Be Retistered in Another District Blakeslee, Cousins, McKenna 03/22/17	37.50
Copies of Legal Documents - United States District Court - US Court Fees for Certified Copy of Schultz Default Certificate 05/03/17	11.00

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Client-Matter No.: 492728-00013  
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August 9, 2017  
Page 2

Copies of Legal Documents - US District Court of Utah - Certified copy of default judgment - Thomas Schultz 05/11/17	11.00
Process Servers - Robert J. Reitz, Salt Lake County Constable - Process Server Fee om service Writ of Garnishment - USBank National Association - Joe Lovato 04/07/17	76.00

<b>Total for Disbursements and Service Charges</b>	<b>\$290.82</b>
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<b>Total This Invoice</b>	<b>\$290.82</b>
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